

UNITED STATES OF AMERICA, )  
 )  
v. ) Crim. No. 97-0089-B-H  
 )  
STEPHEN R. SPRAGUE, )  
 )  
Defendant )

<sup>1</sup> Defendant's Motion also referred to his having waived his right of direct appeal of his sentence. It is unclear whether Defendant sought to raise this waiver as a separate issue, or was simply noting it in support of his assertion that the drug treatment program issue was properly raised by this Motion to Vacate. In any event, the Government correctly notes that there was no plea agreement in this case. Defendant therefore did not waive his right of direct appeal, and the Court's Memorandum of Sentencing indicates that Defendant was indeed informed of his right to appeal the Court's sentence.

brought under 42 U.S.C. § 2241 in the district in which an inmate is incarcerated. *Eg., Bradshaw v. Story*, 86 F.3d 164, 166 (10<sup>th</sup> Cir. 1996). There is no federal prison in this District, and the record indicates that Defendant is now incarcerated in White Deer, Pennsylvania. The Motion to Vacate, Set Aside or Correct Sentence should be DENIED.

### NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) (1988) for which *de novo* review by the district court is sought, together with a supporting memorandum, within ten (10) days of being served with a copy thereof. A responsive memorandum shall be filed within ten (10) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to *de novo* review by the district court and to appeal the district court's order.

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Margaret J. Kravchuk  
United States Magistrate Judge

Dated on: May 24, 2000

CJACNS CLOSED

U.S. District Court  
District of Maine (Bangor)

CRIMINAL DOCKET FOR CASE #: 97-CR-89-ALL

USA v. SPRAGUE  
Dkt# in other court: None

Filed: 12/17/97

Case Assigned to: JUDGE D. BROCK HORNBY

STEPHEN R SPRAGUE (1)  
defendant

JULIO DESANCTIS, III  
[term 05/07/98]

[term 05/07/98]

[COR LD NTC ret]  
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STEPHEN R SPRAGUE  
[COR LD NTC] [PRO SE]  
#09594-036  
P.O. BOX 1000  
WHITE DEER, PA 17887

Pending Counts:

Disposition

18:922G.F UNLAWFUL TRANSPORT  
OF FIREARMS, ETC. (Felon in  
Possession of a Firearm in  
violation of 18:922(g)(1) and  
924(a)(2))  
(1)

Imprisonment of 37 months; Self  
report date of 6/12/98;  
Supervised Release of 36  
months; \$100 Special  
Assessment. AMENDED: Self  
Report Date extended to  
06/16/98. (1)

Offense Level (opening): 4

U. S. Attorneys:

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